

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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IN RE:
JENNIFERT RAMIREZ,
Debtor(s)
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Case No. 18-23379 RDD
Chapter 13

AFFIRMATION IN SUPPORT OF MOTION TO BIFURCATE CLAIM #7

To: Hon. Robert D. Drain, Bankruptcy Judge:

COMES NOW Jennifert Ramirez, Debtor, by and through her attorney, Joshua Bleichman, who affirms under the penalties of perjury that I have knowledge of the following and state the same is true.

1. This is an application pursuant Bankruptcy Rule 3007 to bifurcate claim #7 of Bank of America from \$415,168.78 secured claim (filed herewith as Exhibit A) to \$225,000.00 secured and \$190,168.78 unsecured based on the appraisal of the property (See Exhibit B filed herewith).
2. The Debtor filed a petition under Chapter 13 of the Bankruptcy Code on 7/6/2018, and pursuant thereto an automatic stay was imposed.
3. The Debtor owns a certain property known as 213 Surf Drive, Unit 131, Bronx, NY (the "Property") and it is encumbered by a mortgage dated 2/18/2011 made by KORALYS MONTILLA AND RAFAEL MONTILLA in the original amount of \$377,740.00. The Debtor purchased the deed for unpaid common charges.
4. Bank of America filed claim #7 filed in this case in the amount of \$415,168.78 .
5. The property is not the principal residence of the Debtor and may be claim bifurcated. The secured portion will be paid through a financing of the property for which an application to approve to be filed after this motion is granted. The unsecured balance will be paid through the plan pro rata unsecured.

WHEREFORE, Debtor prays that their court make and enter its order: (7) finding that notice of an opportunity for the hearing upon their motion was appropriate in the particular circumstances of their case; (2) approving their motion and bifurcating claim #7 to \$225,000.00 secured and \$190,168.78 unsecured; and (3) granting such other and further relief as the court deems appropriate.

DATED:1/16/19
Spring Valley. NY

Respectfully,

/s/ Joshua Bleichman
Joshua Bleichman_
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